

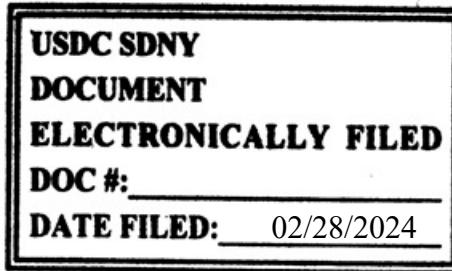


MITCHELL SILBERBERG & KNUPP LLP
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Christine Lepera
A Professional Corporation
(917) 546-7703 Phone
(917) 546-7673 Fax
ctl@msk.com

February 28, 2024

VIA ECF



Hon. Margaret M. Garnett, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: Darko v. Graham et al., Case No. 1:23-CV-03232 (MMG)

Dear Judge Garnett:

We represent Defendants UMG Recordings, Inc., Universal Music Publishing, Inc., Universal Songs of Polygram International Inc., Universal Music Publishing AB, Bremer Music Group AB, Warner Music Group Corp., Warner-Tamerlane Publishing Corp., Aubrey Drake Graham (p/k/a Drake), Johannes Klahr, and Richard Zastenker (collectively, "Defendants") in the above-captioned action.

We write pursuant to 2.E of this Court's Individual Rules and Practices to respectfully request an adjournment of the conference currently scheduled for February 29, 2024, at 2:00 p.m. (ECF 117) (the "Conference"). Counsel for all parties have conferred as to alternative times and dates that are mutually acceptable for the Conference. As such, we respectfully request that the Conference be adjourned to any time on March 12, 2024 (after 1pm). In addition, counsel for Plaintiff and Defendants are available anytime on March 7, 2024. Counsel for Defendant Diamante Anthony Blackmon (not represented by the undersigned) has advised that he is potentially available on March 7, 2024 as well, and that he will be able to confirm his availability shortly. Defendants are filing this letter prior to such confirmation in an effort to apprise the Court of the requested adjournment as soon as possible.

This adjournment is being requested due to the sudden illness of the undersigned (lead counsel for Defendants), which makes it impossible for her to attend the Conference as scheduled.¹

This is the parties' second request for an adjournment of this Conference. The first request, to adjourn the Conference from February 27, 2024 to February 29, 2024 due to Plaintiff's counsel's trial schedule was granted by this Court on February 23, 2024. ECF 117.

¹ As soon as the undersigned fell ill, counsel for Defendants expeditiously contacted counsel for all parties to confer on the proposed alternative times and dates set forth in this letter, which took some time to coordinate, thus necessitating the filing of this letter less than two business days before the Conference.



Hon. Margaret M. Garnett, U.S.D.J.
February 28, 2024
Page 2

This adjournment request does not affect any other scheduled dates in this matter, to the extent that the Court's Order of February 21, 2024 (ECF No. 115) adjourned all outstanding deadlines in this action *sine die* pending the Conference.

We appreciate the Court's consideration of this matter.

Respectfully,

/s/Christine Lepera

Christine Lepera
A Professional Corporation of
MITCHELL SILBERBERG & KNUPP LLP

CTL/sml

Application GRANTED. The February 29 conference shall be adjourned to **Tuesday, March 12, 2024 at 1:30 p.m.** The conference will be held before Judge Garnett in Courtroom 906 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007. All other deadlines, including Defendants' deadline to file supplemental briefing, remain adjourned *sine die*.

SO ORDERED. Date 2/28/2024.

A handwritten signature in black ink, appearing to read 'MARGARET M. GARNETT'.

HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record via ECF